

AN ORDINANCE **96564**

AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY CORRECTING 13 GROUPS OF ERRORS OF OMISSION AND INCLUSION, CROSS REFERENCE ERRORS, AND SECTION NUMBERING ERRORS, REVISING NINE ITEMS FOR CLARIFICATION WITHOUT SUBSTANTIVE CHANGE, AND REVISING 12 ITEMS FOR CLARIFICATION WITH SUBSTANTIVE CHANGE, AND PROVIDING FOR SEVERANCE.

* * * * *

WHEREAS, the San Antonio City Council adopted the revised Unified Development Code (UDC) on May 3, 2001; and

WHEREAS, it was anticipated that in the adoption of the revised UDC, a methodology would be necessary to address errors, omissions and implementation difficulties; and

WHEREAS, the Unified Development Code Technical Advisory Committee was created to recommend substantive and procedural changes in the revised UDC to the City Council; and

WHEREAS, the Unified Development Code Technical Advisory Committee has recommended that three amendments comprising various changes be made to the UDC; and

WHEREAS, the Zoning Commission has recommended approval of those amendments pertaining to zoning issues; and

WHEREAS, the Planning Commission has recommended approval of those amendments pertaining to planning issues; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35 of the City Code of San Antonio, Texas is hereby amended to correct errors of omission and inclusion, cross reference errors, and section numbering as follows:

Chapter 35, Article II, Section 35-202 is amended by deleting subsection (o) as follows:

35-202 *Conventional Subdivision*

* * * * *

~~(o) *Urban Design*~~

~~A Conventional Subdivision shall not be subject to the Urban Design Standards of this Chapter.~~

Chapter 35 Article II, Section 35-203 is amended by adding a reference for density, deleting provisions for estimating density, and deleting subsection (o) as follows:

35-203 *Conservation Subdivision*

* * * * *

(d) Uses & Density

- (1) Permitted uses shall be governed by the applicable zoning district regulations and the density provisions of Table 310-1.
- (2) The minimum lot size requirements of the Zoning District Design Regulations (§ 35-310) shall not apply to a Conservation Subdivision.
- ~~(3) Applicants shall have the option of estimating permitted density on the basis of mathematical percentages and formulas contained in this ordinance, or on the basis of a "yield plan." Such "yield plans" consist of lot and street layouts and shall conform to the standards of Article 5 where indicated in this section.~~
- (4) In order to provide undivided open space in order to provide direct views and access, not less than forty percent (40%) of the lots within a Conservation Subdivision shall abut a Primary or Secondary Conservation Area. Direct pedestrian access to the open space from all lots not adjoining the open space shall be provided through a continuous system of sidewalks and trails. The provisions of this subsection shall not apply to Prime Farmland, as it is vulnerable to trampling damage and disturbance.

~~(o) Urban Design~~

~~A Conservation Subdivision shall not be subject to the Urban Design Standards of this Chapter.~~

Chapter 35, Article II, Section 35-205 is amended renaming subsection (o) as follows:

35-205 *Office or Institutional Campus*

* * * * *

(o) Lighting and Signs Urban Design

(1) Lighting

Lights illuminating off-street parking or loading areas shall comply with the following standards as a protection against excessive glare and light spilling over to adjacent properties.

- A. When a light source has elements such as shields, reflectors, or refractor panels which direct and cut off the light at a cutoff angle that is less than ninety (90) degrees, the maximum permitted height shall be thirty (30) feet.
- B. When a light source has a cutoff angle of ninety (90) degrees or greater, the maximum permitted height shall be fifteen (15) feet.

(2) Signs

The use of signs in a business park shall conform to Chapter 28 of the City Code.

Chapter 35, Article II, Section 35-206 is amended by correcting the section references as follows:

35-206 Commercial Retrofit

* * * * *

(d) Uses and Density

Development may consist of the following activities:

- (1) The construction of additional buildings between a collector street right-of-way and the existing buildings (hereinafter "Additional Buildings"). The facades of the Additional Buildings which face the public right-of-way and the existing buildings on the lot, tract or parcel shall conform to the Commercial Urban Design Standards (§35-204(o) ~~35-206(n)~~), above.

* * * * *

(f) Lot Layout

The additional buildings shall have a facade oriented to the principal buildings and a façade facing the frontage line. The facades facing the principal buildings shall conform to the Commercial Urban Design Standards (§35-204(o) ~~35-206(n)~~), above.

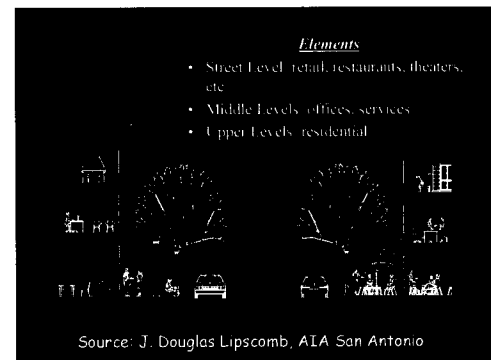
Chapter 35, Article II, Section 35-207 is amended by correcting the section reference as follows:

35-207 Traditional Neighborhood Development

* * * * *

(o) Urban Design

(1) Enclosure Ratio



Buildings facing across streets shall be located or have sufficient height to achieve an Enclosure Ratio as follows:

Civic, Retail, Service Uses - 1:3 or 30%

Multi-family, Single-family Uses - 1:4 or 25%

This provision does not apply to buildings which face a Park or Plaza.

(2) Front Porches

Front porches shall be provided on not less than 50% of all dwelling units within the Single-family land use allocation. Porches shall be constructed of masonry or wood materials. Architectural metal may be used if it is consistent with the exterior or roofing materials of the primary building. The seating area shall have a minimum width of nine (9) feet and a minimum depth of five (5) feet.

(3) Retail and Service Buildings

Retail and Service buildings shall comply with the Commercial Urban Design Standards, § 35-204(o) ~~35-203(n)~~ of this Chapter. Retail and Service uses may designate the entire building area above the ground floor or the second floor for residential use. The applicant shall submit floor plans identifying the use of each room.

Chapter 35, Article III, Section 35-208 is amended by correcting section references as follows:

35-208 Transit-Oriented Neighborhood

* * * * *

(e) Uses & Density

Purpose and Findings: Because most transit users will walk only one-quarter to one-half of a mile to a transit facility, transit influence areas require high densities on small areas of land. The City therefore finds and determines that uses inconsistent with transit will undermine the most efficient use of limited land areas within a TOD, and may render the transit system unworkable. Accordingly, the uses permitted within the TOD-1 and TOD-2 zoning districts are those which are dependent upon, or which may generate, a relatively high level of transit usage. Uses which would interfere with transit usage and which generate few transit trips are not permitted. Further, the City finds and determines that minimum levels of density as set forth in Table 208-2 ~~Table 203-2~~ are required to support transit ridership, and that lower levels of density will not support transit ridership and will create unacceptable levels of vehicular congestion.

- (1) Permitted, conditional and prohibited uses shall be governed by the Use Matrix, § 35-311 of this Chapter.

- (2) The requested densities, in terms of number of units per gross residential acre and total number of dwelling units shall be set forth in the Application. The Application shall comply with Table 208-2 ~~Table 203-2~~ hereto. The applicable land use categories are set forth in Column (A). The minimum land area which shall be devoted to the land use is shown in Column (B), and the maximum land area which shall be devoted to the land use is shown in Column (C). Minimum land area is stated as the percentage of gross land area. The density for the particular use shall be at least the amount set forth in Column (B) for residential uses, and shall not exceed the amount shown in Column (C). The density may exceed the amount prescribed in column (C), up to the amount prescribed in Column (D), if development rights are transferred pursuant to § 35-361 of this Chapter. The floor area ratio (FAR) for the particular use shall be at least the amount set forth in Column (E) and shall not exceed the amount shown in Column (F). The FAR may exceed the amount prescribed in Column (F), up to the amount prescribed in Column (G), if development rights are transferred pursuant to § 35-361 of this Chapter.
- (3) Density or floor area ratio may exceed the maximum density prescribed in Table 208-2 ~~Table 203-2~~ if development rights are purchased in accordance with § 35-361 ~~4.9.3~~ of this Ordinance.

* * * * *

(p) Urban Design

All new buildings shall comply with the Commercial Urban Design Criteria (§ 35-204(o) ~~35-206(n)~~).

Parking Garages, where allowed, shall have prosceniums setback at least 15 feet from the property line to avoid vehicles blocking sidewalks.

Chapter 35, Article III, Section 35-310.09 is amended to correct section reference as follows:

35-310.09 "O-1" and "O-2" Office Districts

* * * * *

(b) "O-1" Office Districts

(1) Purpose

The "O-1" district restricts uses primarily to offices and ancillary uses which do not have peak weeknight or weekend usage in order to provide a buffer between residential areas and more intensive uses. "O-1" districts provide for the establishment of low to mid rise office buildings. Uses within an "O-1" district are limited to uses incidental to the needs of the occupants of the building and are not designed to serve a regional market area.

(2) General Provisions

- A. **Scale.** Buildings in an “O-1” district shall be restricted to 10,000 square feet for Individual Buildings.
- B. **Outdoor display/sales.** The outdoor display or sale of merchandise is prohibited in the “O-1” district.
- C. **Design.**
 - 1. Parking shall be located to the rear of the Principal Use or Principal Building, provided that up to two (2) rows of parking may be located to the front, or to the side abutting a residential use, of the Principal Use or Principal Building.
 - 2. Buildings shall contain ground level fenestration (transparent windows and openings at street level) consistent with the Commercial Urban Design Standards, § ~~35-204(o)~~ 35-203(e)(6) of this Code.
 - 3. Buildings shall be articulated so that facades, which face public streets and exceed fifty (50) feet in horizontal length, shall include vertical piers or other vertical visual elements to break the plane of the facade. Such vertical piers or any other vertical visual elements shall be between fifteen (15) feet and forty (40) feet apart along the facade. This provision shall not apply to the conversion of a residential building to a commercial use.

Chapter 35, Article IV, Index is amended by inserting a new Section 35-436 and renumbering the remaining Sections as follows:

Article IV. Procedures

Division 4	Subdivisions	50
<u>35-430</u>	<u>Applicability & General Rules</u>	<u>51</u>
<u>35-431</u>	<u>Letters of Certification</u>	<u>55</u>
<u>35-432</u>	<u>Procedures for Subdivision Plat Approval</u>	<u>58</u>
<u>35-433</u>	<u>Development Plat</u>	<u>61</u>
<u>35-434</u>	<u>Plat Deferral</u>	<u>63</u>
<u>35-435</u>	<u>Subdivision Plat Variances</u>	<u>65</u>
<u>35-436</u>	<u>Administrative Exceptions</u>	<u>65</u>
<u>35-437</u>	<u>Performance Agreement</u>	<u>67</u>
<u>35-438</u>	<u>Acceptance of dedication</u>	<u>69</u>
<u>35-438</u>	<u>Owner-Initiated Plat Vacation</u>	<u>69</u>
<u>35-439</u>	<u>Replatting Without Vacating Preceding Plat</u>	<u>71</u>
<u>35-440</u>	<u>Amending Plats</u>	<u>72</u>
<u>35-441</u>	<u>Replatting of Antiquated Plats</u>	<u>74</u>
<u>35-442</u>	<u>Replats subject to Low-Density Zoning</u>	<u>75</u>

Chapter 35, Article IV, Section 35-435 is amended by renumbering and renaming sections and subsections as follows:

35-435 Subdivision Plat Variances

~~(a)~~ Variances

See § 35-483 of this Chapter for Subdivision Plat Variances.

35-436 Administrative Exceptions ~~(b) Administrative Exceptions~~

The City hereby finds and determines that some standards of this Code are routinely modified due to exceptional circumstances such as difficult terrain and unique topographical conditions. The City finds and determines that the granting of such exceptions is in the public interest, but that administrative review is needed in order to ensure that the spirit and intent of this Ordinance is preserved. Accordingly, these procedures permit administrative exceptions to be granted as part of the subdivision plat approval process without the need for a variance. Applicants who are denied an administrative exception may then seek a variance in accordance with § 35-483 of this Article.

(a) Applicability ~~Applicability~~

The Director of Public Works may grant an administrative exception from the requirements of Article 5 of this Code as provided in 35-501.

(b) Initiation ~~Initiation~~

An exceptions shall be requested as part of the application for a subdivision plat approval. The exception shall be specifically labeled in the application with a specific reference to this section of the ordinance, along with any supporting documentation justifying the need for an exception.

(c) Completeness Review ~~Completeness Review~~

The application for an exception shall be reviewed for completeness concurrent with the completeness review for the subdivision plat or development plat.

(d) Decision ~~Decision~~

The exception shall be approved, denied, or approved with conditions as part of the decision approving, denying, or approving with conditions the application for approval of a subdivision plat or development plat.

(e) Approval Criteria ~~Approval Criteria~~

The exception shall be granted if the reviewing agency finds and determines that:

1. The exception will not be contrary to the spirit and intent of this Code and the specific regulations from which an exception is requested; and
2. The applicant has taken all practicable measures to minimize any adverse impacts on the public health, safety and public welfare; and
3. Under the circumstances, the public interest underlying the proposed exception outweighs the public interest underlying the particular regulation for which the exception is granted; and
4. The proposed exception complies with all other applicable standards of § 35-432(e) to the extent practicable.

(f) Subsequent Applications ~~Subsequent Applications~~

See § 35-432(f) of this Chapter.

(g) Amendments ~~Amendments~~

See § 35-432(g) of this Chapter.

(h) Scope Of Approval ~~Scope of Approval~~

See § 35-432(h) of this Chapter.

(i) Recording Procedures ~~Recording Procedures~~

See § 35-432(i) of this Chapter.

Chapter 35, Article IV, Sections 35-436 through 35-442 are amended by renumbering Subdivision headings as follows:

35-437 ~~35-436~~ Performance Agreement

35-438 ~~35-437~~ Acceptance of dedication

35-439 ~~35-438~~ Owner-Initiated Plat Vacation

35-440 ~~35-439~~ Replatting Without Vacating Preceding Plat

35-441 ~~35-440~~ Amending Plats

35-442 ~~35-441~~ Replatting of Antiquated Plats

35-443 ~~35-442~~ Replats Subject to Low-Density Zoning

Chapter 35, Article V, Section 35-503 is amended by identifying Table 503-2 as follows:

35-503 *Parks/Open Space Standards*

* * * * *

TABLE 503-2

(A) Park or Open Space Category	(B) Description	(C) Maintenance Requirements	(D) Illustration

* * * * *

Chapter 35, Article V, Section 35-506 is amended by adding reference to tables as follows:

35-506 *Transportation and Street Design*

* * * * *

(q) *Sidewalk Standards*

(3) *Planting Strips*

Where required by Table 506-3 or 506-4 above, sidewalks ~~Sidewalks~~ shall be defined by placing a planted strip of not less than two (2) feet minimum between the back of the curb (BOC) and the street edge of the sidewalk. Street trees may be located in the planting strip if trees are a minimum of three (3) feet from the curb.

Chapter 35, Appendix A, Definitions & Rules of Interpretation is amended by correcting references for Commercial and Urban Design Standards and Infill Regulations as follows:

Appendix A Definitions & Rules of Interpretation

* * * * *

Commercial Urban Design Standards

See § 35-204(o) ~~35-203(n)~~ of this Chapter.

* * * * *

Infill Regulations

See § 35-343 ~~35-202~~ of this Chapter Ordinance.

SECTION 2. Chapter 35 of the City Code of San Antonio, Texas is hereby amended to revise the following items for clarification without substantive change as follows:

Chapter 35, Article II, Section 35-204 is amended by correcting table references and clarifying the type of square footage referenced as follows:

35-204 *Commercial Center*

* * * * *

(c) *Size And Location Of Site*

- (1) A Commercial Center may be located at the intersection of any of the Street classifications and within the Zoning Districts as set forth in Table 204-1 ~~203-1~~. In Table 204-1 ~~203-1~~, an “asterisk” indicates that a Commercial Center may be established as of right (unless otherwise indicated below) at the intersection of the Street Classifications listed in Column (A) and in the Zoning District designated in Columns (B) through (H). A dash (“—”) indicates that the Commercial Center is not permitted at that location. An “S” indicates that a Commercial Center may be permitted only upon approval of a Specific Use Permit.
- (2) Notwithstanding the provisions of Table 204-1 ~~203-1~~, a Commercial Center may not be established as a matter of right at a location permitted in Table 204-1 ~~203-1~~ which is outside of and area designated for commercial uses in a Neighborhood Plan. A Commercial Center in such areas may be established upon the approval of a Specific Use Permit.

* * * * *

(j) *Parks & Open Space*

A Commercial Center may incorporate Plazas, Courtyards or Forecourts consistent with Table 503-2 of the Parks and Open Space Standards of this Chapter (§ 35-503). If the proposed development includes at least 115,000 square feet of gross floor area (GFA), at least 190 square feet of Parks/Open Space shall be provided per Equivalent Dwelling Unit. No other provisions of the Parks and Open Space Standards shall apply to a Commercial Center.

Chapter 35, Article II, Section 35-208 is amended by clarifying the type of area to which parking requirements do not apply as follows:

35-208 *Transit-Oriented Development*

* * * * *

(n) *Parking*

The minimum parking requirements shall within the TOD-C and TOD-P districts are as follows:

Area	Minimum Parking Requirement
TOD-C, within 500 feet of a <u>Transit Station or Major Bus Loading/Boarding Location</u> <u>light rail alignment</u>	None
TOD-C, balance of area	Fifty percent (50%) of the parking spaces required by the Parking Standards of this Chapter.
TOD-C, balance of area	75 percent of the parking spaces required by the Parking Standards of this Ordinance

Chapter 35, Article III, Section 35-310.01, Table 310-1 is amended by changing "CS" District to "RP" District as follows:

35-310.01 Generally

* * * * *

Table 310-1

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
Zoning District	Minimum Lot Size Conventional	Maximum Density	Minimum Frontage	Minimum Lot Width	Maximum Lot Width	Maximum Building Height	Minimum Front Setback	Maximum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Building Size (Individual Buildings)	Maximum Building Size (Aggregate)
<u>RP</u> CS	10 acres	0.1	—	—	—	35 / 2-½	15	—	5	—	—	—
RE	43,560	1	100	120	—	35 / 2-½	15	—	5	30	—	—

Chapter 35, Article III, Section 35-360 is amended by changing "CS" District to "RP" District as follows:

35-360 Bonus Density

* * * * *

(b) Bonus Criteria.

* * * * *

3. Minimum lot sizes may be reduced as needed to accommodate the additional dwelling units permitted by this section provided, however, that in ~~in~~ no event shall minimum lot sizes be less than the following:

Zoning District	Minimum Adjusted Lot Size
RP CS	7 acres
RE	31,000
R-20	14,000
R-6, RM-6	4,200
R-5, RM-5	3,500
R-4, RM-4	2,800

Chapter 35, Article IV, Section 35-422 is amended by changing "conditional zoning classification" to "Specific Use Permit" correcting reference as follows:

35-422 Conditional Zoning

* * * * *

(d) Decision

The procedure for approving a conditional zoning classification shall be as required for a rezoning (§ 35-421(d)) and as further provided herein. However, if an application for a Specific Use Permit ~~conditional use~~ is filed with the application for a conditional zoning district, a ~~quasi-judicial~~ public hearing shall be conducted as provided in § ~~35-404~~ 35-404(e) of this Article. In approving ~~a the~~ conditional zoning classification, the City Council may impose such requirements and safeguards as indicated by (e)(2) below and may specifically authorize the location of uses, subject to the requirements set forth in subsection (e)(2) of this section.

Procedures for protest petitions shall be as set forth in VTCA Local Government Code §11.006(d).

(e) Criteria

(1) Permitted Uses

Notwithstanding any provisions of this Chapter to the contrary, a conditional zoning district may be permitted as provided in this section so long as the criteria for approval of a rezoning are met (see Table 422-1 ~~§ 35-422-1~~). A conditional zoning district does not eliminate the landowner's right to use the property subject to the Application for any use permitted in the base zoning district. Uses permitted by right in the districts set forth in Column (A) of Table 422-1 ~~Table 423-1~~, below, may be permitted pursuant to a conditional zoning district approved within the zoning districts set forth in Column (B) of Table 422-1, as follows:

Table 422-1	
(A) Use authorized by right in:	(B) May be permitted pursuant to a conditional

	zoning district in:
Any residential district, O-1, NC , C-1	Any residential district
O-1, C-1, C-2	NC, C-1
O-1, O-2, C-2, C-3	C-1, C-2
L, I-1, QD	C-2, C-3

Note: The above table is applicable within all approved overlay zones and special districts, including but not limited to, the ERZD, MAOZ and Historic Districts.

Chapter 35, Article V, Section 35-510 is amended by adding a tree on the end of the illustration referred to as Type "B" Buffer, Option 1 as follows:

35-510 Buffers

* * * * *

(d) Buffer Types

- (1) There are seven (7) types of buffer yards. Table 510-2 shows the minimum width and number of trees and/or plants required for each one hundred (100) lineal feet for each buffer yard. Figure 510-1 illustrates a typical buffer yard for each type. Each buffer yard type provides several plant material options. The Applicant may either plant new trees or plants, or preserve existing trees or plants, within the required buffer which meet the requirements of this subsection.

Table 510-2. Minimum Plant Materials Required for Each Buffer Yard Type (Omitted)

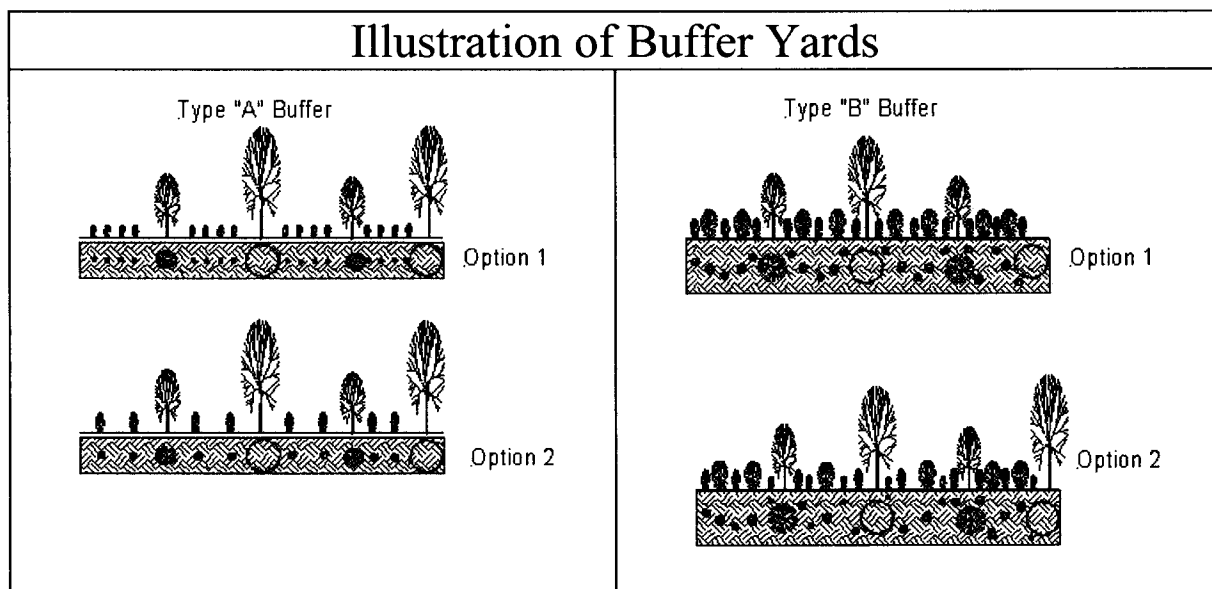
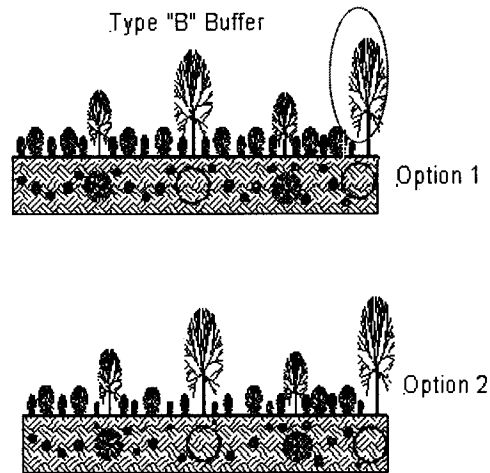


Illustration of Buffer Yards



Chapter 35, Article V, Section 35-521 is amended by adding ERZD provisions inadvertently omitted as follows:

35-521 Edwards Aquifer Recharge Protection

See Chapter 34, Article VI, Division 6, of the City Code.

(a) Abrogation and greater restrictions

This division is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where the language of this division conflicts with language used elsewhere in this code, that which imposes the more stringent restrictions shall prevail.

(b) Purpose

The Edwards Recharge Zone Overlay District (ERZD) has been established for locations where the Edwards and associated limestone formations come to the surface to provide a recharge area for the underground water supply contained to provide a recharge area for the underground water supply contained within these formations. The recharge area also can provide an entrance to the underground water supply for contaminated water run-off from uses on the recharge zone as well as from the related sensitive area. Thus this recharge zone district is designed to not allow land uses that would produce toxic, corrosive, polluted, poisonous, radioactive, unpalatable, or otherwise dangerous substances injurious to the public health or which could otherwise adversely affect the water supply, and thereby minimizing the risk of potential occurrences wherein such substances could enter the water reservoir. Land uses permitted are those not having operations, production, or storage of hazardous materials that

could contribute contaminants to the water supply. Additional land uses are permitted with appropriate restrictions, which will protect against the spread of contaminants due to the operations.

(c) Boundaries

The limits of the Edwards Recharge Zone are described on United States Geological Survey Quadrangle Maps, Being copies of the official maps in the offices of the Texas Natural Resource Conservation Commission (TNRCC), and are defined in the Texas Administrative Code, 31 TAC 213. If the limits of the ERZD cannot be accurately determined, then the Zoning Board of Adjustments shall interpret the district boundaries after obtaining such geologic information as is necessary from the San Antonio Water System, the TNRCC, the United States Geological Survey (USGS) or other properly designated agency.

(d) Zoning Classification

(1) Overlay district. The Edwards Recharge Zone Overlay District is designated as an overlay to the regular zoning classifications. Property located within this overlay district must also be designated as being within one of the regular zoning classifications. Authorized uses must be permitted in both the regular zoning classification and the overlay district.

(2) Zoning designation. The zoning designation of property located within the Edwards Recharge Zone Overlay District shall consist of the regular zone symbol and the overlay district symbol as a suffix. For example, if a parcel is zoned "MF-33" and is also located within the Edwards Recharge Zone Overlay District, the zoning designation of the property would be "MF-33"(ERZD). In effect, the designation of property as being within the Edwards Recharge Zone Overlay District places such property in a new zoning district classification and all procedures and requirements for zoning and rezoning must be followed.

(e) Uses permitted within the ERZD

Uses permitted by right and with special City Council approval are specified in Division 8 of the article, Permitted Uses. It shall be unlawful for any person to make use of any property located within the Edwards Recharge Zone District, except in accordance with such tables of permitted uses.

(f) Site Investigation Report

(1) The staff recommendation on all zoning/rezoning cases within the ERZD shall include a report from the San Antonio Water System Resource Protection & Compliance Department. The report shall contain a background description to include a discussion of the development, surrounding uses, geologic factors, on-site point and non-point pollution sources, sewer lines, proposed pollution abatement structures, and whether a water pollution abatement plan has been submitted.

(2) The report shall also contain a summation of facts and implications on the recharge zone; recommendation on zoning, pollution abatement plan needs, and monitoring requirements;

recommendation on zoning, pollution abatement plan needs, and monitoring requirements; and maps of the development and surrounding developments.

(g) Water Pollution Abatement Plan

As a condition of all zonings/rezonings within the ERZD, a water pollution abatement plan approved by the TNRCC shall be required for all regulated development as established and defined by Texas Administrative Code, 31 TAC 213, prior to the issuance of a building permit and/or certificate of occupancy.

(h) Underground Storage Tanks.

(1) All new and replacement underground storage tank systems within the ERZD shall comply with this section and the most current regulations in 31 TAC Chapter 334, Underground and Aboveground Storage Tanks, which is incorporated by reference as part of this chapter.

(2) New and replacement underground storage tanks installed within the ERZD shall require tertiary containment. The tertiary barrier shall consist of an artificially constructed material that is sufficiently thick and impermeable (at least 10–6 cm/sec or allow permeation at a rate of no more than 0.25 ounces per square foot per 24 hours for the regulated substance stored) and be able to direct a release to the monitoring point and permit its detection. The barrier material shall be compatible with the regulated substance stored so that a release from the underground storage tank system will not cause a deterioration of the barrier allowing a release to pass through undetected.

(3) All new and replacement underground storage tank systems shall include a monitoring and detection system able to detect a release between the underground storage tank and the tertiary barrier. The monitoring and release detection system must be capable of detecting a two-tenths (0.2) gallon per hour leak rate or a release of one hundred fifty (150) gallon within thirty (30) days such that the probability of detection shall be at least ninety five (95) percent and the probability of false alarm shall be no greater than five (5) percent.

(j) Underground Storage Tanks

(1) Generally

The installation of any new underground storage tank systems within the Edwards Recharge Zone District is prohibited. Any existing underground storage tanks that require additional upgrades, including replacement of existing underground storage tanks, must meet the current Unified Development Code Standards.

(2) State Regulations

All replacement underground storage tank systems within the ERZD shall comply with this section and the most current regulations in 31 TAC Chapter 334, Underground and Aboveground Storage Tanks, which are incorporated by reference as part of this chapter. All new and replacement underground storage tank systems within the Edwards Aquifer Transition zone shall comply with this section and the most current regulations in 31 TAC Chapter 334, Underground and Aboveground Storage Tanks, and 31 TAC 213, Edwards Aquifer, which is incorporated by reference in this chapter.

(3) Tertiary Containment

Replacement underground storage tanks installed within the ERZD shall require tertiary containment. New and replacement underground storage tank systems installed within the Edwards Aquifer Transition Zone shall require tertiary protection. The tertiary barrier shall consist of an artificially constructed material that is sufficiently thick and impermeable (at least 10-6 cm/sec or allow permeation at a rate of no more than 0.25 ounces per square foot per twenty-four (24) hours for the regulated substance stored) and be able to direct a release to the monitoring substance stored so that a release from the underground storage tank system will not cause a deterioration of the barrier allowing a release to pass through undetected.

(4) Monitoring System

Replacement underground storage tank systems shall include a monitoring and detection system able to detect a release between the underground storage tank and the tertiary barrier. The monitoring and release detection system must be capable of detection a two-tenths (0.2) gallon per hour leak rate or a release of one hundred fifty (150) gallons within thirty (30) days such that the probability of detection shall be at least ninety-five (95) percent and the probability or false alarm shall be no greater than five (5) percent.

(5) Single Wall Underground Storage Tank Systems Within ERZD

Single wall underground storage tank systems within the Edwards Recharge Zone District are prohibited. All existing single wall underground storage tank systems within the Edwards Transition Zone, installed prior July 2, 1986 and in conformance with all the USEPA December 22, 1998 update requirements shall be removed and upgraded to current Unified Development Code standards by the date of December 22, 2003.

(6) Fee

A fee specified in Exhibit C shall be required by the San Antonio Water System for Underground Storage Tanks (UST) located on the Edwards Recharge Zone District and the Edwards Transition Zone to ensure compliance with Ordinance 81147 and all requirements of Chapter 34 of the City Code regulating underground storage tanks over the Edwards Recharge Zone and Transition Zone. The fees include an initial permit fee (per site), an annual inspection fee (per site), and beginning in 1998, a renewal fee every three (3) years (per tank).

Chapter 35, Article V, Section 35-526 is amended by naming each table as follows:

35-526 *Parking & Loading Standards*

* * * * *

(b) *Table of off-Street parking requirements*

- (1) Table 526-3 establishes the minimum number of parking spaces required, the maximum number of parking spaces permitted, and the minimum number of bicycle spaces required, for the uses indicated. Applicants are entitled to a reduction in the minimum parking requirements of Table 526-3 pursuant to § 35-523(f)(2) of this Code to help meet the minimum tree preservation requirements.
- (2) Where the parking variable indicated in Table 526-3 is the number employees, the parking requirements shall be based on the largest shift rather than the total number of employees.
- (3) Where the parking variable indicated in Table 526-3 is square footage, the square footage shall not include any floor area accessory to a retail use ~~which is~~ devoted exclusively to storage or employee training.
- (4) For the purposes of parking calculations, the gross area of any parking garage within a building shall not be included within the Gross Floor Area of the building.
- (5) Structured Parking and Pervious Pavement shall not be subject to the maximum parking requirements.
- (6) The Administrator may waive up to fifty percent (50%) of the minimum parking spaces required by Table 526-3 upon a written finding that the waiver will result in the preservation of woodlands or significant stands of trees in a natural state, or that the waiver will further a public purpose established in the Master Plan.

Table 526-3a "Residential"

Permitted Use	Minimum Vehicle Spaces	Maximum Vehicle Spaces
ACCESSORY USES (SUPPLEMENTAL TO THE RESIDENTIAL USE)	N/A	N/A
ASSISTED LIVING OR ELDERLY HOME	0.3 per room	1 per room

* * * * *

Table 526-3b "Non-Residential"

	Permitted Use	Minimum Vehicle Spaces	Maximum Vehicle Spaces
ACCESSORY	ACCESSORY USES - secondary or incidental to primary use	N/A	N/A
ALCOHOL	ALCOHOL - bar and/or tavern	1 per 2 seats	1 per 1.5 seats

* * * * *

Chapter 35, Appendix A, Definitions & Rules of Interpretation is amended by changing "Master Site Plan" to "Master Development Plan" as follows:

Appendix A Definitions & Rules of Interpretation

* * * * *

Master Development Plan ~~Master Site Plan~~

A long-range plan for the development of property submitted pursuant to § 35-412 of this Chapter.

SECTION 3. Chapter 35 of the City Code of San Antonio, Texas is hereby amended to revise the following items for clarification with substantive change as follows:

Chapter 35, Article II, Section 35-205 is amended by amending processing procedures as follows:

35-205 Office or Institutional Campus

* * * * *

(b) Processing Procedures

An Office or Institutional Campus may be approved by rezoning to a Business Park District, in the "O-1" or "O-2" Office, "C-2"/"C-3" Commercial District, "or "L" Light Industrial Districts. Variances shall be processed as set forth in subsections (2) and (3), below, except for Applications within the Edwards Recharge Zone District (ERZD) or Utility Conversion Districts.

(1) Variances – Incorporated Areas

Within the incorporated areas of the City:

- A variance to the requirements of subsection (c) shall be processed in accordance with § 35-482 of this Chapter.

- A variance to the requirements of subsections (b) and (d) through (n) shall be processed in accordance with § 35-483 of this Chapter.

(2) Variances – Extraterritorial Jurisdiction

Within the ETJ, variances shall be processed in accordance with § 35-483 of this Chapter.

(3) Buildings and structures in compliance with the standards of this section are permitted by right in an Office or Institutional Campus use pattern. If a lot or lots are to be created, the property shall require platting.

Chapter 35, Article II, Section 35-206 is amended by amending processing procedures as follows:

35-206 Commercial Retrofit

* * * * *

(b) Processing Procedures

A Commercial Retrofit shall require a Building Permit approval. Variances shall be processed as set forth in subsections (2) and (3), below, except for Applications within the Edwards Recharge Zone District (ERZD) or Utility Conversion Districts.

(1) Variances – Incorporated Areas

Within the incorporated areas of the City:

- A. A variance to the requirements of subsection (c) shall be processed in accordance with § 35-482 of this Chapter.
- B. A variance to the requirements of subsections (b) and (d) through (n) shall be processed in accordance with § 35-483 of this Chapter.

(2) Variances – Extraterritorial Jurisdiction

Within the ETJ, variances shall be processed in accordance with § 35-483 of this Chapter.

(3) Buildings and structures in compliance with the standards of this section are permitted by right in a Commercial Retrofit use pattern. If a lot or lots are to be created, the property shall require platting.

Chapter 35, Article III, Section 35-310.01, Table 310-1 is amended amending caption, adding a 20 foot minimum street frontage to "NC", "C-2", and "C-3" zoning districts, and adding notes for columns "H" and "I" as follows:

35-310.01 Generally

* * * * *

Table 310-1

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
Zoning District	Minimum Lot Size Conventional	Maximum Density	Minimum Street Frontage	Minimum Lot Width	Maximum Lot Width	Maximum Building Height	Minimum Front Setback	Maximum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Building Size (Individual Buildings)	Maximum Building Size (Aggregate)
RP-ES	10 acres	0.1	—	—	—	35 / 2-½	15	— ⁽³⁾	5	—	—	—
RE	43,560	1	100	120	—	35 / 2-½	15	— ⁽³⁾	5	30	—	—
R-20	20,000	2	65	90	—	35 / 2-½	10	— ⁽³⁾	5	30	—	—
R-6 ⁽¹⁾	6,000	7	30	50	150	35 / 2-½	10	35 ⁽³⁾	5	20	—	—
R-5 ⁽¹⁾	5,000	9	30	45	150	35 / 2-½	10	35 ⁽³⁾	5	20	—	—
R-4 ⁽¹⁾	4,000	11	20	35	150	35 / 2-½	10	35 ⁽³⁾	5	20	—	—
RM-6 ⁽¹⁾	6,000	7	15	15	150	35 / 2-½	10	35 ⁽³⁾	0	20	—	—
RM-5 ⁽¹⁾	5,000	9	15	15	100	35 / 2-½	10	35 ⁽³⁾	0	10	—	—
RM-4 ⁽¹⁾	4,000	11	15	15	80	35 / 2-½	10	30 ⁽³⁾	0	10	—	—
MF-25 ⁽¹⁾	—	25	50	50	—	35	—	20 ⁽³⁾⁽⁴⁾	5	10	—	—
MF-33 ⁽¹⁾	—	33	50	50	—	45	—	20 ⁽³⁾⁽⁴⁾	5	10	—	—
MF-40 ⁽¹⁾	—	40	50	50	—	60	—	20 ⁽³⁾⁽⁴⁾	5	10	—	—
MF-50 ⁽¹⁾	—	50	50	50	—	—	—	20 ⁽³⁾⁽⁴⁾	5	10	—	—
O-1	—	—	50	50	—	25	—	35	20 ⁽²⁾	30 ⁽²⁾	10,000	90,000
O-2	—	—	50	—	—	—	25	80	20 ⁽²⁾	30 ⁽²⁾	—	—
NC	—	—	20	—	—	25	—	15	10 ⁽²⁾	30 ⁽²⁾	3,000	—
C-1	—	—	50	50	—	25	—	20	10 ⁽²⁾	30 ⁽²⁾	5,000	15,000
C-2	—	—	20	—	—	25	—	—	10 ⁽²⁾	30 ⁽²⁾	—	—
C-3	—	—	20	—	—	35	—	—	30 ⁽²⁾	30 ⁽²⁾	—	—
D	—	—	—	—	—	—	—	20	—	—	—	—
L	—	—	80	—	—	35	25	—	30 ⁽²⁾	30 ⁽²⁾	—	—
I-1	—	—	80	80	—	60	30	—	30 ⁽²⁾	30 ⁽²⁾	—	—
I-2	—	—	100	100	—	60	30	—	50 ⁽²⁾	50 ⁽²⁾	—	—

Rules for Interpretation of Table 310-1:

Generally: The requirements for the parameters set forth in Columns (B) through (M), above, relate to the zoning district specified in the row under Column (A), above. A dash (—) indicates that the requirement does not apply within the particular zoning district. The dimensions specified in Columns (D) through (K) are expressed in linear feet. The dimensions specified in Columns (B), (L) and (M) are expressed in square feet unless otherwise provided. Rules of

interpretation and additional standards for setback and height requirements are set forth in the Lot Layout, Height and Density/Intensity Standards (§ 35-515 to 35-517 of this Code).

Column (B): Minimum lot size (Column (B)) applies only to Conventional Option, single-family detached developments (see § 35-201 of this Chapter). The minimum lot size figures are expressed in square feet, unless otherwise indicated. Additional rules of interpretation are set forth in subsection (d) of this Section for minimum lot area.

Column (C): The maximum density requirements (Column (C)) are expressed in dwelling units per gross acre. Additional rules of interpretation are set forth in §§ 35-515 of this Chapter.

Column (D): Frontage is defined as the distance where a property line is common with a street right-of-way line. For irregular shaped lots, see § 35-515(c)(4).

Column (E): Lot width is defined as the width of the lot at the front setback line. For irregular shaped lots, lot width shall be measured at the front building line rather than the front setback line.

Column (F): Maximum lot widths apply only to detached single family residential development.

Column (G): Height is defined as the distance from finished floor elevation to the highest peak of the structure. All dimensions are in feet provided, however, that for zoning districts "RP" through "RM-4," the first number refers to feet and the second number refers to stories. A "story" is that part of a building between the surface of a floor and the ceiling immediately above. Additional height may be provided with increases in the minimum front and side setbacks shall increase as provided in § 35-517(d). Notwithstanding the requirements of Table 310-1, the maximum height (prior to applying any increase provided in § 35-517(d)) for an "O-2," "MF-25" or "MF-33" zoning district adjoining a platted subdivision zoned "RE" or "R-20" as of the effective date of this Chapter shall be thirty-five (35) feet or 2-½ stories.

Column (H) & (I) - The front setback shall be measured from the front lot line. The Principal Building or Principal Structure shall not be located closer to the front lot line than the distance established in Column (H). The front façade of the Principal Building or Principal Structure shall not be located further from the front lot line than the distance established in Column (I). **Column (H):** For Townhouses and Attached Single-Family Dwellings, the minimum front setback shall be twenty (20) feet unless all off-street parking is located in the rear of the Principal Building or Principal Structure and the lot abuts an alley or driveway with a minimum width of 24 feet. Additional setbacks are required for height increases as set forth in § 35-517(d).

Column (J): The side setback requirements in the RM-6, RM-5, and RM-4 districts may be reduced to 0 on one side lot line and 10 on the other side lot line where needed to accommodate Zero Lot-Line development (see section 35-373 of this Article). Additional setbacks are required for height increases as set forth in § 35-517(d).

Column (K): Rear setback requirements shall not apply to any use in the NC, O-1, O-2, C-1, C-2, or C-3 zoning districts which abuts an alley or another structure within any of these districts. Notwithstanding the requirements of Table 310-1, an "MF-25," "MF-33," "MF-40" or "MF-50" zoning district adjoining a platted subdivision zoned "RE" or "R-20" as of the effective date of this Chapter shall have a minimum rear setback of forty (40) feet, and parking areas shall be located at least five (5) feet from any fence along the rear property line.

Columns (L & M): Dimensions are in square footage. See §§ 35-310.17(a)(2) and 35-310.18(a)(2) for specific rules of interpretation. Additional square footage may be available if a Specific Use Permit is approved, in accordance with these provisions.

Column (M): The aggregate square footage refers only to non-residential square footage. Where residential uses are permitted, (1) the square footage of non-residential uses within the contiguous boundaries of the district may not exceed the aggregate square footage, and (2) the aggregate square footage may be exceeded where the square footage exceeding the maximum aggregate square footage is devoted to residential uses.

Note (1) - Column (A): See §§ 35-372, 35-373, 35-515, & 35-516 of this Code for standards applicable to uses other than detached single-family dwellings.

Note (2) - Columns (J) & (K): Applies only to the setback area measured from a lot line which abuts a residential use or residential zoning district. The side or rear setback shall be eliminated where the use does not abut a residential use or residential zoning district.

Note (3) - Public and parochial school facilities and religious institutions whose primary activity is worship shall be exempt from the mandatory maximum front setback provisions.

Note (4) - Single family lot development within a "MF" multi-family zoning district shall meet the lot requirements for a "RM-4" zoning district.

Chapter 35, Article III, Section 35-311, Table 311-2 is amended by adding "on-premise caretaker" use as follows:

35-311 Use Regulations

* * * * *

TABLE 311-2 NON-RESIDENTIAL USE MATRIX												
PERMITTED USE	O-1	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)

* * * * *												
Dwelling	Housing (temporary or permanent) For On-Premise Caretaker		S	P	P	P	P	P	P	P	P	
* * * * *												
Dwelling	Dwelling - Attached Apartments With Maximum Density Of 50 Dwellings Per Gross Acre (Allowed Ratio Of 4 Square foot Of Residential Floor Use To 1 Square foot Of Nonresidential Floor Use)						P				P	
* * * * *												
Housing	Housing - Hotel				S	P	P	P	S		P	
Housing	Housing - Motel				S	P	P	S	S		P	
* * * * *												

Chapter 35, Article III, Section 35-360, Table 360-2 is amended by replacing "redevelopment" with "commercial retrofit", adding section reference, and adding a waiver provision for height as follows:

35-360 Bonus Density

* * * * *

**Table 360-2
(Bonus Density Chart)**

(A) Incentive Item	(B) Criteria	(C) Bonus Calculation
Parks and Open Space	Establishment of Active or Passive Open Space in excess of the minimum acreage requirements of the Parks and Open Space Standards. The area dedicated to open space shall comprise at least one (1) acre and shall comply with Parks and Open Space Standards (§ 35-503) to receive bonus credit.	<p>(A) For Conventional Subdivisions:</p> $BD = [(NA \div MLS) + (AOS \times 4)] < [(NA \div MLS) \times C]$ <p>where: BD = total permissible dwelling units with bonus, NA = net acreage (adjusted for right-of-way but not open space), MLS = minimum lot size, AOS = additional open space (in acres) multiplied by maximum permitted density, C = cap on density from Table 360-2</p> <p>(B) For Conservation Subdivisions:</p> $BD = [(GA \times MD) + (AOS \times 4)] < [(GA \times MD) \times C]$ <p>where: BD = total permissible dwelling units with bonus, NA = net acreage (adjusted for right-of-way but not open space), MLS = minimum lot size, AOS = additional open space multiplied by maximum permitted density, C = cap on density from Table 360-2</p>
Commercial Retrofit Redevelopment	Commercial Retrofit Redevelopment of existing strip centers in accordance with the provisions of the	For each 100 spaces of surface parking converted to structured parking on an area not exceeding 20% of the site area, an additional 20,000 feet

(A) Incentive Item	(B) Criteria	(C) Bonus Calculation
	Redevelopment Standards of this Ordinance and Section 35-206.	of non-residential space may be constructed. <u>Height standards of the underlying zoning district may be waived by the Director of Development Services with the consultation of the Director of Planning to accommodate the additional floor space.</u>
Retail Site Design	Superstores, shopping centers, or other Retail uses located in zoning districts C-1, C-2 or C-3 which comply with all of the following may obtain a density bonus pursuant to Column (C) herein where the proposed development complies with the commercial center design criteria (§ 35-203(o) of this Chapter).	A 30% increase in permitted height (permitted height x 1.3) may be granted.
Affordable Housing: Very Low Income	At least 5% of all dwelling units must be restricted as very-low income housing through a deed restriction or an enforceable contract with a public housing authority or community development corporation.	BD = TD x Y, where: BD = Total permitted dwelling units, with bonus density TD = Base calculation of total permitted dwelling units pursuant to § 35-310 Y = 1.20. The factor "Y" shall increase by 0.05 for every additional 15% of units restricted as very-low income housing, up to the maximum set forth in this Section.
Affordable Housing: Low Income	At least 15% of all dwelling units must be restricted as low income housing through a deed restriction or an enforceable contract with a public housing authority or community development corporation.	BD = TD x Y, where: BD = Total permitted dwelling units, with bonus density TD = Base calculation of total permitted dwelling units pursuant to § 35-310 Y = 1.10. The factor "Y" shall increase by 0.05 for every additional 5% of units restricted as low income housing, up to the maximum set forth in this Section.

Chapter 35, Article III, Section 35-361 is amended by adding section clarifying areas not allowed to qualify as TDR sending areas as follows:

35-361 *Transfer Of Development Rights.*

* * * * *

(a) *Sending Areas Created.*

* * * * *

(7) Flood plains and other un-buildable areas shall not qualify as TDR sending areas.

Chapter 35, Article III, Section 35-371 is amended by clarifying provisions regarding setback requirements as follows:

35-371 *Accessory Dwellings*

* * * * *

(b) *Accessory Detached Dwelling Units*

Where permitted pursuant to § 35-311 of this Chapter, an Accessory Detached Dwelling Unit ("ADDU") shall not be established except in accordance with the following criteria:

- (1) The building footprint for the ADDU shall not exceed 40 percent (40%) of the building footprint of the principal residence. The "building footprint" shall include patios, but shall not include porches.
- (2) Total floor area of the ADDU shall not exceed 800 square feet or be less than 300 square feet.
- (3) An ADDU shall not contain more than one (1) bedroom.
- (4) Only one (1) accessory unit shall be permitted per lot.
- (5) Parking areas shall be located behind the front yard.
- (6) In order to maintain the architectural design, style, appearance and character of the main building as a single-family residence, the ADDU shall have a roof pitch, siding and window proportions identical to that of the principal residence.
- (7) Accessory detached dwelling units shall require a minimum setback from the rear and side property lines of (5) five feet.

(c) Attached Accessory Dwelling Units

- (1) The gross floor area of the Accessory Apartment shall not exceed thirty-five percent (35%) of the total living area of the Principal Dwelling Unit.
- (2) Occupancy of the accessory apartment shall not exceed one person per two hundred (200) square feet of gross floor area.
- (3) Attached Accessory Dwelling Units shall be in compliance with the required setbacks of the primary structure required by the underlying zoning district.

Chapter 35, Article IV, Section 35-403, Table 403-1 is amended by amending notice provisions as follows:

35-403 Notice Provisions

(a) Generally

The notice requirements for each type of application for development approval are prescribed in the individual subsections of this Article applicable thereto and/or the Texas statutes. The notice requirements for certain types of public hearings are established in Table 403-1 below provided, however, that to the extent of any inconsistency between the provisions of this section and any state statute, the state statute shall govern.

(b) Contents of Notice

The notice shall state the time, date and place of hearing and a description of the property subject to the application which includes, at a minimum, the following:

- The street address, or, if the street address is unavailable, the legal description by metes and bounds;
- The current zoning classification, if any; and
- The category of permit requested and a brief description of the proposed development including Density or Building Intensity, revised zoning classification (if any), and uses requested.

In Table 403-1, the method for providing notice is provided in Column (A) and the types of permits affected are set forth in Columns (B) through (F). In Table 403-1, an asterisk (*) indicates that the type of notice prescribed in Column (A) is required for the category of Development Order prescribed in Columns (B) through (F), while a dash (-) indicates that the notice is not required.

Table 403-1

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(J)	(K)
Type of notice	Amendments to Master Plan or this Chapter	Rezoning	Master Development Plan	Appeals to Board of Adjustment	Variances from Board of Adjustment	Subdivision Plat, Major	Subdivision Plat, Minor	Certificate of Appropriateness	Permits, Orders or Approvals not Mentioned Requiring Public Hearing
Publication: Publication in an official newspaper of general circulation before the 15th day before the date of the hearing.	*	*	--	*	*	*(5)	--	--	*
Mail: Before the 10th day before the hearing date, written notice of the public hearing shall be sent	--	*(3)(4)	*(3)	*(3)(4)	*(3)(4)	*(3)(4)(5)	--	--	*(4)(5)
Internet: post a copy of the notice on the City's Internet website until the proceeding has been completed.	*	*(1)	*	*	*	*	*	*	*
Signage: post a sign on the property subject to the Application Signs to be installed and provided by the City ⁽²⁾	--	*(1)(6)	--	--	--	--	--	*	--

Notes:

- (1) Effective if passed by a 2/3 majority of the City Council pursuant to VTCA Local Government Code § 211.007(d) and if the City Council and Zoning Commission conduct a joint hearing.
- (2) The sign shall measure not less than 18" X 24" inches and shall contain –

- City's name,
- Rezoning Case # _____,
- Name of Case Manager, and
- Contact telephone number.

The sign shall be constructed of corrugated plastic sign stock and shall be in a highly visible florescent style color with contrasting colors. Lettering shall be a block font in as large a type as permitted by the sign size. four feet by four feet with a caption stating "Site of Proposed Rezoning," " " as applicable. The letters shall be not less than eight inches in height and two inches in width. The sign must state required by subsection (b), above. Such signs shall be deemed to comply with Section 28 of the City Code, notwithstanding any provision to the contrary.

- (3) Notice shall be sent to Registered Neighborhood Associations within 200 feet of the project.
- (4) Notice shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property
- (5) Notice shall be sent prior to the 15th day before the date of the public hearing. Notice shall be sent only if a replat requires a public hearing with required notice.
- (6) The requirement for the posting of signs on individual lots and properties shall be waived for city initiated area-wide rezoning consisting of six or more individual lots. However, signs will be placed at the general location of the boundary of the area-wide zoning project and its intersection with major arterial and collector streets that provide ingress/egress to the area subject to rezoning.

Chapter 35, Article IV, Section 35-442 is amended to clarify public hearing provisions as follows:

35-442 *Replats Subject to Low-Density Zoning*

* * * * *

(j) Public Hearings

On plat applications where notification is required, the application shall be scheduled for two Planning Commission meetings. The first meeting shall be to solicit public comment and the second meeting shall be for consideration.

Chapter 35, Article V, Section 35-506, Table 506-3 and Table 506-4 are amended by changing "trees" to "streetscape planting", defining NR, and adding notes as follows:

35-506 *Transportation and Street Design*

* * * * *

Table 506-3

Conventional Street Design Standards

<i>Street Type</i>	<i>Marginal Access</i>	<i>Alley</i>	<i>Access to Conservation Subdivision</i>	<i>Local Type A</i>	<i>Local Type B</i>	<i>Collector</i>	<i>Secondary Arterial ¹</i>	<i>Primary Arterial ²</i>
<i>ROW (min.) ⁸</i>	36'	24'	36' 34'	50'	60'	70'	86'	120'
<i>Pavement Width ⁸</i>	26'	18-24'	24' ⁷	28'	40'	44'	48'	72-48'
<i>Grade (max.) ³</i>	12%	12%	12%	12%	12%	7%	5%	5%
<i>Grade (min.) ⁴</i>	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
<i>"K" Crest Curve</i>	30	NR	30	30	30	55	70	70
<i>"K" Sag Curve</i>	35	NR	35	35	35	55	60	60
<i>Centerline Radius (min.)</i>	100'	50'	100'	100'	100'	400'	700'	1,200'
<i>Stopping Sight Distance</i>	75'	75'	75'	110'	150'	200'	300'	300'
<i>Curb</i>	No	No	No	Yes	Yes	Yes	Yes	Yes
<i>Median</i>	NR	NR	NR	NR	NR	NR	14' min.	14' min.
<i>Sidewalk Width (see subsection (q)(5))</i>	NR	No	4'/6' One Side Only	4'	4'/6'	4'/6'	4'/6'	4'/6'
<i>Bike Facilities ⁶</i>	NR	NR	NR	Nr	NR	City Option ⁵	Yes Path ⁵	Yes Path ⁵
<i>Streetscape Planting Trees</i>	NR	No	NR	NR	NR	Yes	Yes	Yes
<i>Planting Strips</i>	NR	NR	NR	2' Min.	2' Min.	2' Min.	2' Min	2' Min.

Notes and Rules of Interpretation:

NR designates the item is not required.

Table 506-3 is required for conventional option subdivisions (see § 35-202) or subdivisions not subject to Table 506-4, below), except for « Access to Conservation Subdivision », which apply only to Conservation Subdivisions (§ 35-203).

¹ For Secondary Arterial Type B right-of-ways designated on the Major Thoroughfare Plan, the required right-of-way will be a minimum of 70' with 86' at the intersections as determined by the Director of Public Works.

² For Primary Arterial Type B right-of-ways designated on the Major Thoroughfare Plan, the required right-of-way will be a minimum of 70' with 120' at the intersections as determined by the Director of Public Works.

³ See Figure 1 on section 35-506 (d) (3) Cross-Section and Construction Standards

⁴ 0.4% Optional with curb and gutter.

⁵ Bike path and sidewalks can be combined. See section 35-506(7).

⁶ When designated on bicycle master plan as approved by City Council

⁷ Entry portion without parking

⁸ Right-of-Way and pavement widths in established neighborhoods can be waived by the Director of Public Works as required on Capital Improvement Projects.

⁹ Sidewalks along Local Type A streets shall be 4 foot in width and on Local Type B streets shall be 4 foot in width with a planting strip or 6 foot in width without a planting strip.

Table 506-4

Traditional Street Design Standards

Street Type	Trail	Alley	Lane	Local	Avenue	Main Street	Boulevard	Parkway
ROW (min.)	14'	20'	38'	48'	82'	58'	124'	86'
Pavement Width ¹	8'-14'	10'-12'	16'-18'	22'- 27'	27'-48'	28'-36'	44'-70'	44'+
Grade (max.)	10%	10%	10%	10%	7%	7%	7%	5%
Grade (min.) ⁴	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
"K" Crest Curve	NR	NR	30	30	55	55	55	70
"K" Sag Curve	NR	NR	35	35	55	55	55	60
Curb Radius	N/A	15'	15'	15'	25'	15'	25'	25'
Centerline Radius ²	95'	50'	90'	90'	250'	600'	500'	1,000'
Stopping Sight Distance	75'	75'	110	110'	150'	N/A	300'	300'
Intersection Sight Distance	15'	15'	15'	25'	75'	N/A	150'	150'
Curb	No	No	Yes	Yes	Yes	Yes	Yes	No
Median	N/A	N/A	N/A	N/A	14' in.	N/A	14' min.	14' min.
Sidewalk Width (see subsection (q)(5))	N/A	No	4'/6'	4'/6'	4'/6'	4'/6'	4'/6'	4'/6'
Bike Facilities ³	N/A	N/A	No	No	Yes Path	City Option	Yes Path	Yes Path
Streetscape Planting Trees	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Planting Strips	N/A	N/A	6'	6'	6'	City Option	6-11'	7-20'

Notes and Rules of Interpretation:

NR indicated item is not required.

Table 506-4 applies only to the following development options: Commercial Center (§ 35-204), Commercial Retrofit (§ 35-206), Traditional Neighborhood Development (§ 35-207), and Transit-Oriented Development (§ 35-208), except as provided in footnote 5, below.

¹ See Table 506-4A below. The smaller street width with on-street parking prohibited, or the larger street width coupled with on-street parking on one or both sides of the street, may be provided if the adjoining buildings are provided with (1) an NFPA 13D fire sprinkler system in the case of Single-Family Dwelling Units, One Family Attached Dwelling Units, Two-Family (Duplex) Dwelling Units, Two-Family Attached Dwelling Units; (2) an NFPA 13R fire sprinkler system for Multi Family buildings; or (3) an NFPA 13 fire sprinkler system for Commercial Building.

² Lesser radius can be approved by the Director of Public Works.

³ Bike path and sidewalks can be combined. See section 35-506(7).

⁴ Optional 0.4% with curb and gutter.

⁵ Any provision in Table 506-3 (entitled "conventional street design standards") notwithstanding, interior streets in a subdivision that would otherwise be required to comply with the provisions of Table 506-3 may instead comply with the provisions of Table 506-4 (entitled "traditional street design standards"), regarding pavement width requirements only, provided that the connectivity ratio (see subsection (e), below and § 35-207(g) of this Chapter) shall comply with the requirements for a Traditional Neighborhood Development. The proposed development shall comply with footnote 1 hereto. Pursuant hereto, street types in such subdivisions shall comply with Table 506-4 as follows: An Alley shall be required to meet the street width standards for an Alley as provided in Table 506-4; a Conservation Access street shall be required to meet the street width standards for a Lane; a Local Type A street shall be required to meet the street width standards for a Street; a Local Type B street shall be required to meet the street width standards for an Avenue; a Collector street shall be required to meet the street width standards for a Main Street; a Secondary Arterial shall be required to meet the street width standards for a Boulevard; and Primary Arterial shall be required to meet the street width standards for a Parkway.

⁶ Sidewalks along Local Type A streets shall be 4 foot in width and on Local Type B streets shall be 4 foot in width with a planting strip or 6 foot in width without a planting strip.

Chapter 35, Article V, Section 35-526 is amended by naming and amending Table 5-526a and Table 5-526b and by adding a new subsection titled Cluster Parking as follows:

35-526 *Parking & Loading Standards*

* * * * *

Table 5-526a
Residential Parking Standards

Permitted Use	Minimum Vehicle Spaces	Maximum Vehicle Spaces
ACCESSORY USES (SUPPLEMENTAL TO THE RESIDENTIAL USE)	N/A	N/A
ASSISTED LIVING OR ELDERLY HOME	0.3 per room	1 per room
ATHLETIC FIELDS (NON-COMMERCIAL & SUPPLEMENTAL TO THE RESIDENTIAL USE)	N/A	N/A
AUTOMOBILE NONCOMMERCIAL PARKING (Board of Adjustment)	1.5 per unit	2 per unit
BED and BREAKFAST	0.3 per room	1 per room
CEMETERY or MAUSOLEUM	N/A	N/A
CHILD - CARE INSTITUTION (BASIC)	1 per 375 sf GFA	1.5 per 375 sf GFA
CHURCH, TEMPLE, MOSQUE	1 per 8 seats	1 per 1.5 seats
DAYCARE CENTER (commercial or nonprofit)	1 per 375 sf GFA	1.5 per 375 sf GFA
DWELLING - 1 FAMILY (Attached or townhouse) (<u>cluster parking allowed</u>)	<u>1 per unit</u> N/A	N/A
DWELLING - 1 FAMILY (Detached) (<u>cluster parking allowed</u>)	<u>1 per unit</u> N/A	N/A
DWELLING - 2 FAMILY	1 per unit	2 per unit
DWELLING - 3 FAMILY	1.5 per unit	2 per unit
DWELLING - 4 FAMILY	1.5 per unit	2 per unit
DWELLING - ACCESSORY (Carriage houses, Granny flats, Echo homes) (<u>cluster parking allowed</u>)	<u>1 per unit</u> N/A	N/A
DWELLING - COLLEGE FRATERNITY (Off Campus)	1 per 2 beds	1 per bed
DWELLING - School dormitories or housing (Off Campus)	1 per 2 beds	1 per bed

Permitted Use	Minimum Vehicle Spaces	Maximum Vehicle Spaces
DWELLING - HUD-CODE MANUFACTURED HOMES (residential) <u>1 per unit</u> N/A (cluster parking allowed)		N/A
DWELLING - MULTIFAMILY (25 units maximum)	1.5 per unit	2 per unit
DWELLING - MULTIFAMILY (30 units maximum)	1.5 per unit	2 per unit
DWELLING - MULTIFAMILY (40 units maximum)	1.5 per unit	2 per unit
DWELLING - MULTIFAMILY (50 units maximum)	1.5 per unit	2 per unit
DWELLING - ROWHOUSE, ZERO LOT LINE (cluster parking allowed)	1 per unit	N/A 2 per unit
DWELLING - TOWNHOUSE (cluster parking allowed)	1 per unit	N/A 2 per unit
FAMILY HOME	1 per 250 sf GFA	1 per 200 sf GFA
FARMING and TRUCK GARDEN	N/A	N/A
FOSTER FAMILY HOME	1 per 250 sf GFA	1 per 200 sf GFA
FOSTER GROUP HOME	1 per 375 sf GFA	1.5 per 375 sf GFA
GOLF COURSE (accessory to a residential subdivision)	N/A	N/A
GROUP DAY-CARE HOME	1 per 375 sf GFA	1.5 per 375 sf GFA
MUSEUM	1 per 1,000 sf GFA	1.5 per 1,000 sf GFA
NURSERY (1 acre minimum)	N/A	N/A
RADIO / TELEVISION STATION WITH TRANSMITTER TOWER	1 per employee	N/A
RECREATION FACILITY (PUBLIC & NON-COMMERCIAL)	1 per 600 sf GFA	1 per 500 sf GFA
REGISTERED FAMILY HOME (12 children maximum)	1 per 375 sf GFA	1.5 per 375 sf GFA
ROOMING HOUSE	0.3 per room	1 per room
SCHOOL - PRIVATE (includes Church schools, private schools K-12, according to use privately owned college or university, trade or specialty school)		according to use

Permitted Use	Minimum Vehicle Spaces	Maximum Vehicle Spaces
SCHOOL - PUBLIC (includes all ISD schools K-12, open enrollment charter schools, public college or university)	according to use	according to use
UNIVERSITY or COLLEGE (private)	1 per 4 students	1 per 2 students
WIRELESS COMMUNICATION SYSTEM	N/A	N/A

Table 5-526b
Commercial Parking Standards

Permitted Use	Minimum Vehicle Spaces	Maximum Vehicle Spaces
ACCESSORY ***** ACCESSORY USES - secondary or incidental to primary use	N/A	N/A

(m) Cluster Parking

- a. There shall be no maximum size for cluster parking areas.
- b. Ownership, administration, parking rights, limitations, maintenance, permitted uses, and fees shall be by recorded instrument and shall be covenants running with the land of the lots to which they are applicable. The recorded instrument shall also reflect that the cluster parking area shall not be converted to any other use until it is replaced by a fully constructed parking facility meeting the requirements of this code or until such time that the lots being served have constructed and completed on them the required off street parking and that each lot that has an on site parking requirement met in whole or part by means of cluster parking shall have on site parking spaces plus cluster parking spaces assigned/reserved in a number equal to the number of on site parking spaces required by this code.
- c. Additional parking may be provided for visitors but shall be clearly designated by markings to distinguish them from owner and/or tenant spaces. When feasible, it is encouraged that visitor cluster and owner and/or tenant cluster parking be physically separated.
- d. The assigned or reserved space in cluster parking for owners and/or tenants shall be no greater than a maximum distance of 500 feet from the nearest entry of each structure for which the parking is assigned and/or reserved.
- e. Design and construction of the cluster parking areas shall be in accordance with the provisions of this code addressing parking lots, including but not limited to, landscaping, fencing, lighting, pavement, etc.

Chapter 35, Appendix A, Definitions & Rules of Interpretation is amended by adding a definition for "cluster parking" and "extended stay hotel/motel" as follows:

Appendix A Definitions & Rules of Interpretation

* * * * *

Cluster Parking - Common area parking designed to meet the required parking requirements of a specific housing type as defined by this ordinance. See Table 526-3, Footnote 1.

* * * * *

Extended Stay Hotel and/or Motel - A building containing rooms intended or designed to be used or which are used, rented, or hired out to be occupied temporarily for an extended period of time by guests and where a kitchen and dining area are provided within the room or complex of rooms rented by the tenant.

SECTION 4. All other provisions of Chapter 35 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

SECTION 5. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 6. Notice of these changes to the Unified Development Code shall not require the publication in an official newspaper of general circulation in accordance with Chapter 35, Article IV, Division 1, Table 403-1.

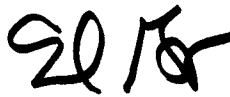
SECTION 7. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing code.

SECTION 8. This ordinance shall become effective ten (10) days after passage.

PASSED AND APPROVED this the 10th day of October, 2002.

ATTEST:


City Clerk


M A Y O R
EDWARD D. GARZA

APPROVED AS TO FORM:


City Attorney